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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,731	07/21/2003	Neng Chao Chang	MR1035-1274	2782
4586	7590	04/27/2004	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			DUONG, THO V	
			ART UNIT	PAPER NUMBER
			3743	
DATE MAILED: 04/27/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/622,731	<b>Applicant(s)</b> CHANG, NENG CHAO	
	<b>Examiner</b> Tho v Duong	<b>Art Unit</b> 3743	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4 and 8 is/are rejected.
- 7) ☒ Claim(s) 1-3 and 5-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The claimed subject matter of “the seat and the motor seat are made by one-shooting” is not disclosed in the specification.

### ***Claim Objections***

Claim 1 is objected to because of the following informalities: “a inlet and outlet” at line 13, appears to be a typographical error of “an inlet and outlet”. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 4 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

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The claimed subject matter of “the seat and the motor seat are made by one-shooting” is not positively disclosed in the written description.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claimed subject matter of “to be cooled by the wind to power the fan and the water to cycle” renders the scope of the claim indefinites since it is not clear what is to be cooled by the wind and what to power the fan.

Claim 8 is further rejected, as best can be understood by the examiner.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 8 is rejected under 35 U.S.C. 102(b) as being anticipated by Edmund Murphy (US 3,860,064). Murphy discloses (figures 1,3 and column 2, lines 13-62) a water-cooled heat sink comprising a motor means which has a motor seat (11) including a motor (17) and the both side

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of motor have rods (9,26) individually connecting to a plurality of cooling blades (6,25) for moving air and liquid.

Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Tsai et al. (US 6,600,649). Tsai discloses (figures 2 and 4) an apparatus of water-cooled heat sink comprising a motor means which has a motor seat (40,41) including a motor (51,52,55,61,63) and both side of the motor have rods (322,421) individually connecting to a plurality of cooling blades (33,62) for moving air and liquid.

***Allowable Subject Matter***

Claims 1,2,3,5-7 would be allowable if rewritten to overcome the objection set forth in this Office action.

The following is an examiner's statement of reasons for allowance: the prior art either taken singularly or in combination fails to disclose an apparatus of water-cooled heat sink comprising a motor means comprising a motor seat having a room pivoting with a first magnet which both end of it have two rods, a first rod and a second rod, over the room and at the front of first magnet having a coil at the outside of room; a fan means comprising a fan seat and a plurality of cooling blades wherein the fan seat couples to the first rod and the cooling blades couple to the front of first rod of motor seat, the fan seat has a circular hollow room depositing a second magnet in it; a water-cooled means comprising a seat a plurality of water-cooled blades and a pipeline wherein the seat deposits the side of motor means opposed to the fan means and has a chamber, and the water-cooled blades connects to the second rod at the rear of first magnet in the chamber, and the pipeline includes an inlet and outlet to connect to the chamber for forming a cyclical path.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Moribe et al. (US 5,954,124) discloses a heat exchange device having double fan blades on motor.

Chen et al. (US 6,386,276) discloses a heat-dissipating device.

Bingler (US 6,668,911) discloses a pump system for use in a heat exchange application.

Batchelder (US 6,019,165) discloses a heat exchange apparatus that has a magnetic pump.

Chen et al. (US 6,263,957) discloses an integrated active cooling device for board mounted electric components.

Martinez (US 6,219,242) discloses apparatus for cooling a heat generating members.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Tho Duong whose telephone number is (703) 305-0768. The examiner can normally be reached on from 9:30-6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Bennet, can be reached on (703) 308-0101. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0861.

TD

TD

April 20, 2004

A handwritten signature in dark ink, appearing to read 'Tho Duong', with a long horizontal flourish extending to the right.

Tho Duong

Patent Examiner.